

BEST AVAILABLE COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Boucher et al.)	
)	Group Art Unit: 2682
Application No.: 10/090,724)	
)	Examiner: Phu, Sanh D.
Filed: March 4, 2002)	
)	MMCD-46
For: VOICE ACTIVATED TEXT STRINGS FOR)	
ELECTRONIC DEVICES)	Confirmation No.: 4814

DECLARATION OF BART SMUDDE UNDER 37 C.F.R. § 1.131

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer No. 23859

Sir:

I, Bart Smudde, state the following:

1. I am a co-inventor of the subject matter disclosed and claimed in the above-referenced patent application.
2. The invention of the above-referenced patent application was conceived prior to March 12, 2001, which is the filing date of U.S. patent application publication US2002/0128837 to Morin, as evidenced by the invention disclosure form and the description in my technical report entitled "Voice Activated Text Strings For Email and SMS Applications on Hand Held Wireless Devices," a true and accurate copy of which is attached hereto as part of Exhibit A. The technical report was used as the basis of the filing of a provisional patent application on March 14, 2001, application number 60/275,857, a true and accurate copy of which is also attached hereto as part of Exhibit A.

DECLARATION OF BART SMUDDE UNDER 37 C.F.R. § 1.131

Application No. 10/090,724

Attorney Docket No.: MMCD-46

Page 2

3. From prior to March 12, 2001, I diligently pursued the preparation of the above-mentioned provisional patent application and a U.S. utility patent application. On January 12, 2001, the technical report was submitted as invention disclosure MMCD-46 in accordance with Matsushita Mobile Communications Development Corp. (MMCD) corporate procedures. The above-identified technical report constituted the written description of the invention that was used to file the above-mentioned provisional patent application. In addition, the above-identified technical report constituted the written description of the invention that was used to assist in the preparation of a U.S. utility patent application, which was filed on March 4, 2002, claiming priority to the above-mentioned provisional patent application.
4. During the time from prior to March 12, 2001, and March 14, 2001, I diligently assisted in the preparation and filing of the above-identified U.S. provisional patent application, the filing of which on March 14, 2001, constitutes a constructive reduction to practice of the subject matter disclosed and claimed in the above-referenced provisional patent application. In addition, during the time from prior to March 12, 2001 to March 4, 2002, I diligently assisted in the preparation and filing of the above-identified U.S. utility patent application, the filing of which on March 4, 2002, constitutes a constructive reduction to practice of the subject matter disclosed and claimed in the above-referenced patent application. Attached hereto as Exhibit B are true and accurate copies of pages of my engineering notebook, evidencing diligent pursuit of the filing of the above-mentioned utility patent application on March 4, 2002.
5. Based on the description of the invention as detailed in my technical report (part of Exhibit A), as well as by the sketches of the invention drawn by me therein, it is evident that a person considered to be one of ordinary skill in the art would be possessed of sufficient information to practice the invention prior to March 12, 2001, and would believe the

DECLARATION OF BART SMUDDE UNDER 37 C.F.R. § 1.131

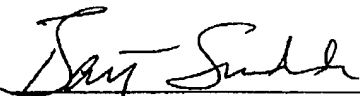
Application No. 10/090,724

Attorney Docket No.: MMCD-46

Page 3

invention to be constructively reduced to practice no later than March 4, 2001 (the filing date of the above-mentioned provisional application) or, at the latest, March 4, 2002 (the filing date of the above-referenced utility patent application), as I believe the case to be, with regard to the construction of a system and method for implementing Voice Activated Text Strings in a hand held communication device.

I HEREBY DECLARE that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the above-referenced patent application, or any patent issued thereon.


Bart Smudde

2/2/2005
Date

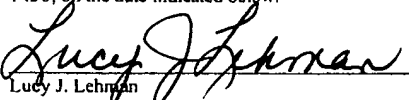
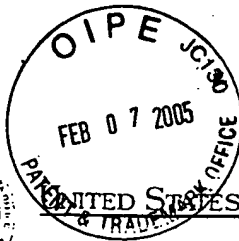
<u>CERTIFICATE OF MAILING</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date indicated below.	
 Lucy J. Lehman	<u>2/2/05</u> Date

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

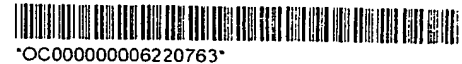
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/275,857	03/14/2001		150	7720.111188 (MMCD46.PRIV)			

CONFIRMATION NO. 3162

006980
TROUTMAN SANDERS LLP
BANK OF AMERICA PLAZA, SUITE 5200
600 PEACHTREE STREET, NE
ATLANTA, GA 30308-2216

FILING RECEIPT



OC000000006220763

Date Mailed: 06/25/2001

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Mike Boucher, Dacula, GA;
Bart Smudde, Suwanee, GA;

If Required, Foreign Filing License Granted 06/23/2001

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

Voice activated text strings for email and SMS applications on hand held wireless devices

Data entry by : GOITOM, AYIDA

Team : OIPE

Date: 06/25/2001



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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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NOT GRANTED

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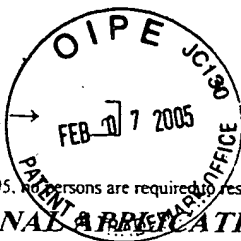
PLEASE NOTE the following information about the Filing Receipt:

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- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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PTO/SB/16 (8-00)

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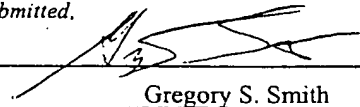
PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

INVENTOR(S)					
Given Name (first and middle [if any])		Family Name or Surname		Residence (City and either State or Foreign Country)	
Mike Bart		Boucher Smudde		Dacula, GA, U.S. Citizen Suwanee, GA, U.S. Citizen	
<input type="checkbox"/> Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (280 characters max)					
VOICE ACTIVATED TEXT STRINGS FOR EMAIL AND SMS APPLICATIONS ON HAND HELD WIRELESS DEVICES					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number		006980			
OR		Type Customer Number here		006980 PATENT TRADEMARK OFFICE	
<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country		Telephone		Fax	
ENCLOSED APPLICATION PARTS (check all that apply)					
<input type="checkbox"/> Specification Number of Pages				<input type="checkbox"/> CD(s), Number	
<input type="checkbox"/> Drawing(s) Number of Sheets				<input checked="" type="checkbox"/> Other (Specify)	
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		Invention disclosure documents (9 pages)			
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT (check one)					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				FILING FEE AMOUNT(\$)	
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the filing fees					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number				20-1507	
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				150.00	
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government Agency and the Government contract number are: _____					

Respectfully submitted,

SIGNATURE



Date

03 / 14 / 01

TYPED or PRINTED NAME

Gregory S. Smith

REGISTRATION NO.

40,819

(if appropriate)

Docket Number:

7720.111188
(MMCD46.PR.V)

404-885-3354

TELEPHONE

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is used by the public to file (and by the PTO to process) a provisional application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the complete provisional application to the PTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C., 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

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CONFIDENTIAL/PROPRIETARY INFORMATION

enter

C99M0078A		INVENTION DISCLOSURE FORM		MMCD Docket Number: <u>46...</u>	
MMCD Corp. of U.S.A.					
Inventor 1 information			Inventor 2 information		
Mike Boucher <small>name</small>			Bart Smudde <small>name</small>		
3438 Highland Forge Trail, Dacula, GA 30019 <small>residence</small>			417 Antler Lane, Suwanee, GA 30024 <small>residence</small>		
Senior Engineer – Software Engineering USA <small>title or position</small>			Staff Engineer USA <small>title or position</small>		
<small>citizenship</small>			<small>citizenship</small>		
Inventor 3 information			Inventor 4 information		
<small>name</small>			<small>name</small>		
<small>residence</small>			<small>residence</small>		
<small>title or position</small>			<small>title or position</small>		
<small>citizenship</small>			<small>citizenship</small>		
<input type="checkbox"/> Additional inventor information attached					
GENERAL FIELD OF THE INVENTION (check all that apply):					
<input checked="" type="checkbox"/> SOFTWARE		<input type="checkbox"/> CIRCUITRY		<input type="checkbox"/> MECHANICAL	
<input checked="" type="checkbox"/> User interface		<input type="checkbox"/> RF		<input type="checkbox"/> Manufacturing/Assembly	
<input type="checkbox"/> Protocol		<input type="checkbox"/> Digital		<input type="checkbox"/> Movable Parts Included	
<input type="checkbox"/> Data structure		<input type="checkbox"/> Analog		<input type="checkbox"/> OTHER _____	
BRIEF DESCRIPTION OF THE INVENTION (purpose and problem solved): Attach all technical descriptions, drawings, flowcharts, etc. that are necessary to describe the operation or structure of the invention. Hand drawn figures or written notes may be sufficient. This information will be used by Patent counsel to prepare for an invention disclosure meeting with the inventors.					
<u>Problem To Be Solved</u> Typing text messages on a cell phone can be a painstaking process due the limited number of keys as well as the size of the keys. As a result of the limited key interface found on cell phones and many other wireless handheld devices, there is a need for ways to make it easier to compose text messages on these devices.					
<u>Design Details</u> One way to make it easier to compose text messages on wireless handheld devices is to store commonly used text strings in memory with the capability to recall the strings later as needed during message composition. On phones with voice recognition capability, a voice command can be used to recall the stored strings. This patent proposal describes a way to use voice recognition to recall stored text strings in order to simplify the text message composition process.					
<u>Benefits</u> Voice Activated Text Strings make it easier to compose text messages on wireless handheld devices that have voice recognition capability.					

CONFIDENTIAL/PROPRIETARY INFORMATION

IMPORTANT DATES AND EVENTS

Date and Place of Conception (day, month, year, place)

Friday, Jan 5, 2001 at MMCD - Suwanee

Date and Place of First Disclosure (date, location, to whom)

Friday, Jan 12, 2001 at MMCD - Suwanee.
Disclosed to 2 experienced practitioners for
their signatures.

Was a non-disclosure agreement in place?

? ☐ YES ☐ NO

Date of First Sketch or Drawing (photocopy attached ☐)

Date of First Written Description (photocopy attached ☐)

Friday, Jan 12, 2001

Date of First Reduction to Practice

Will this be incorporated into a product?

☐ YES ☐ NO

What is the planned date of shipment/sales/etc.

KNOWN PRIOR ART OR SIMILAR ART:

I have read and understood this document and any attached documents.

I understand that I may be entitled to receive certain incentive awards as a result of this invention disclosure submission. In consideration thereof, as well as other good and valuable consideration hereby acknowledge by the undersigned, I unconditionally and irrevocably agree to cooperate and to execute and deliver to MMCD any transfers, assignments, documents or other instruments which MMCD may deem necessary to vest complete title and ownership of the information contained within this invention disclosure, exclusively in MMCD.

Witness Signature

Name _____ Date _____

Inventor Signature

Name _____ Date _____

INVENTION DISCLOSURE FORM Cont.

MMCD Docket Number: _____

MMCD Corp. of U.S.A.

MMCD Billing Ref: _____

Inventor 5 information

Inventor 6 information

name

name

residence

residence

title or position

citizenship

title or position

citizenship

Inventor 7 information

Inventor 8 information

name

name

residence

residence

title or position

citizenship

title or position

citizenship

Additional description, prior art or other information.

The attached document describes this idea in more detail.

Voice Activated Text Strings For Email and SMS Applications on Hand Held Wireless Devices

Date Prepared: 01/08/01	Revision: 0.1	Document Type: Patent Proposal Supporting Documentation
Date Printed: 1/12/01		
Prepared by: Mike Boucher & Bart Smudde Title: Signature:	Reviewed by: Title: Signature:	
Approved by: Title: Signature:	Authorized by: Title: Signature:	

WARNING

All information contained in this document is considered by Matsushita Mobile Communication Development Corporation of USA to be proprietary information. The information contained in this document is for internal use only and is not to be disclosed publicly or otherwise to anyone other than those necessary to evaluate the information without the expressed written permission of Matsushita Mobile Communication Development Corporation of USA as set forth in a separate non-disclosure agreement between the parties.

Change History

Revision #	Reason for reissue	ECO Number	Date
0.1	Draft		01/08/01
0.2	Slight addition to the Introduction		01/10/01
0.3	Fix typo in date field (00 to 01)		01/10/01

Introduction

Many cell phones today claim the ability to send email messages. In theory this claim is true. For the average user, however, typing an email message on a cell phone can be a painstaking process due to the limited number of keys as well as the size of the keys. As a result of the limited key interface found on cell phones and many other wireless handheld devices, there is a need for ways to make it easier to compose text messages on these devices.

One way to make it easier to compose text messages on wireless handheld devices is to store commonly used text strings in memory with the capability to recall the strings later as needed during message composition. On phones with voice recognition capability, a voice command can be used to recall the stored strings. This patent proposal describes a way to use voice recognition to recall stored text strings in order to simplify the text message composition process.

Voice Activated Text Strings Main Concepts

- method to record a text string
 - a way to initiate text recording
 - a way to indicate the text that is being recorded
 - a way to terminate text recording
 - a way to identify and store a text string into memory
- method to record and associate a voice command with a stored text string
 - a way to record a voice command
 - a way to associate the voice command with a stored text string
- method to recall a stored text string using a voice command
 - a way to enable voice recognition during message composition
 - a way to take the received voice command, map it to a stored text string, and insert the text string into the message

Recording a Text String

In order for a user to record a text string, there needs to be a way for the user to tell the device when to begin recording. One way to do this is with a long key press – perhaps with the star key - while the user is composing a message. The long key press tells the phone to begin recording characters. Other methods for initiating text recording include (but are not limited to) a dedicated key or a combination of existing keys.

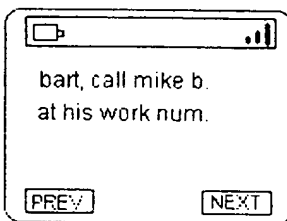
Once text recording has begun, there are many ways to indicate that text is being recorded. One way to indicate that text is being recorded is to put a bold 'R' at the top of the screen. One way to indicate the characters that are being recorded is to show the recorded characters in italics.

Once text recording has begun, there are many ways that it can be terminated. One way to terminate text recording is to use the same long key press that was used to initiate the recording. Other methods for terminating text recording include (but are not limited to) a dedicated key or a combination of existing keys.

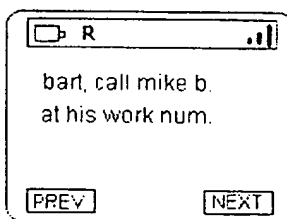
Once text recording has been terminated, there needs to be a way for the user indicate that he wants the text string to be stored. One way to do this is via a screen prompt Yes/No screen that pops up when text recording is terminated

An example screen flow for recording a text string is shown below.

The user begins composing his text message.

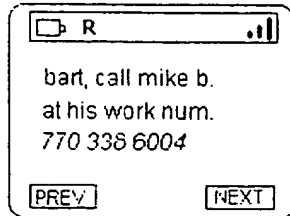


The user is about to key in the phone number when he decides that he wants to record the phone number text string, so he does a long key press of the asterisk key.



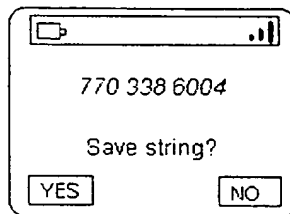
The bolded 'R' at the top of the display indicates that text recording has been enabled.

The user keys in the phone number.



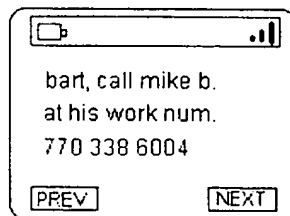
Text being recorded is indicated in italics.

The user finishes keying in the text to be recorded, so he does another long key press on the star key to terminate text recording. The termination long key press takes the user to a screen where he is asked if he wants to save the recorded text string.



The string that was recorded is shown in italics.

As soon as the user specifies whether or not to save the text string, he is returned to the text composition screen.



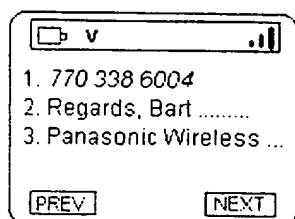
Once the text string is saved, the string no longer appears in italics.

Recording and Associating a Voice Command with a Stored Text String

Recording and associating a voice command is a simple process. First, a particular text string is selected from a menu of all stored text strings. Once the string is selected, voice command training is initiated. When the training is complete, the process is finished. The selected text string now has an associated voice command.

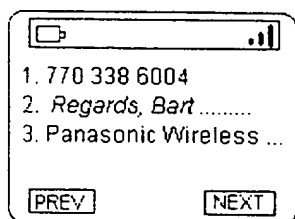
Show below is an example screen flow for recording and associating a voice command with a text string.

The user brings up a list of his stored text strings.



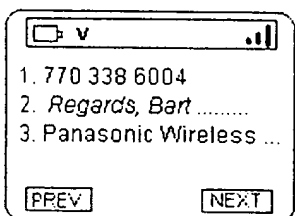
Italics show that item 1 is selected.
The 'V' in the top bar shows that
there is a voice command
associated with the selected item.

The user scrolls down the list and selects the text string for which he wants to associate a voice command.



Item 2 is selected; no 'V' in the top
bar signifies that there is no voice
command associated with item 2.

The user goes through and completes the voice command training process for the selected text string.



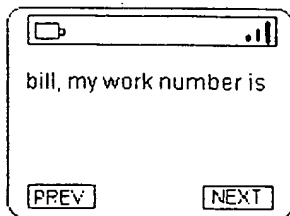
Item 2 is still selected. Notice that
a 'V' has appeared in the top bar,
signifying that item 2 is now
associated with a voice command.

Recalling a Text String With a Voice Command

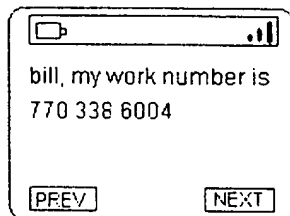
The process for recalling a text string is simple. When the user is composing a text string and reaches the point where he wants to insert a stored text string, he simply enables voice recognition, then utters the appropriate command.

An example screen flow inserting a stored text string is shown below.

The user begins composing his text message and gets to the point where he would want to drop in a stored text string – in this case, his work phone number.



The user enables voice recognition, then utters the voice command associated with his work number text string. Upon successful recognition of the voice command, the associated text string is inserted into the message.



The text string, '770 338 6004' has been inserted into the message as a result of the voice command.

EXHIBIT B

9/6/01 Voice Strings Meeting w/ Mike Tempel

Mode 1

Start recording keypresses
type message
Stop recording
Associate a Voice Cmd

Mode 2

"Save" existing string

Figure 1 - Basic block diagram
2 - Memory details

Q: How would we overcome an obviousness rejection?

- Need to come up with alternative embodiments or depth of implementation.

ex/

- Method for presenting the data information on the associations (user interface example)
- Other ways for getting text into the device
- Feature that the prior art doesn't show

Mike - make up more screen shots

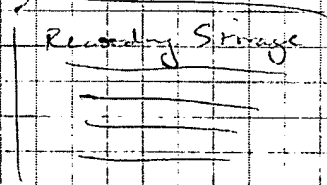
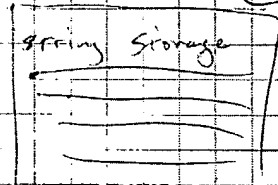
"Extrinsic evidence of non-obviousness"

Tables in Memory

String Loc. Table	
1	A600
2	A100
3	A125
4	
5	
6	

Recording Loc. Table	
1	F000
2	F100
3	F500
4	:
5	:
:	:

Match Table	
String #	Recording #
1	5
2	4
8	3
:	:



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